

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CAPTAIN NANCY S. DIETZ,)
Plaintiff,)
v.) C.A. No. 06-256-SLR
JAMES M. BAKER, et al.) JURY TRIAL DEMANDED
Defendants.)

**STIPULATION AND ORDER REGARDING PLAINTIFF'S MOTION
FOR TEMPORARY RESTRAINING ORDER AND
BRIEFING SCHEDULE FOR MOTION FOR PRELIMINARY INJUNCTION**

WHEREAS on August 1, 2007 Plaintiff Nancy S. Dietz filed a Motion for Temporary Restraining Order and/or Preliminary Injunction ("Motion");

WHEREAS the parties have agreed to certain interim relief requested in the Motion pending a determination by this Court on the merits of the Preliminary Injunction Motion; and

WHEREAS the parties have agreed to alter the Court's automatic briefing schedule to allow time for the parties to adequately brief the issues presented by the Motion.

The parties, through their undersigned counsel hereby stipulate and agree as follows, subject to Court approval:

1. Defendants and their agents, employees, servants, officers, attorneys, successors, assigns and all others acting in concert or participation with them will not permanently appoint a person to fill the position of Uniformed Operations Inspector until after this Court issues a decision on the merits of Plaintiff's Preliminary Injunction Motion.

2. Defendants' answering brief and any supporting papers in response to Plaintiff's Motion shall be filed on or before August 31, 2007. Plaintiff's reply brief and any supporting papers shall be filed on or before September 10, 2007.

3. The parties respectfully request that the Court schedule a Rule 65 hearing on the Preliminary Injunction Motion as soon as practicable following the completion of briefing on the Motion.

4. This stipulation does not affect any other dates in the current scheduling order, including the trial date of February 11, 2008.

Dated: August 2, 2007

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IT IS SO ORDERED this _____ day of August, 2007.

The Honorable Sue L. Robinson
United States District Judge